



Hallow Neighbourhood Plan

Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

On 20 July 2021 Malvern Hills District Council decided to make the Hallow Neighbourhood Plan under 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended). The Hallow Neighbourhood Plan now forms part of the Development Plan for Malvern Hills District.

Reasons for the Decision

The Hallow Neighbourhood Plan meets the Basic Conditions and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the Referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the Referendum on 24 June 2021.

Background

The Hallow Neighbourhood Plan was prepared by Hallow Parish Council, which is the relevant body for the purposes of neighbourhood plan preparation. The application to designate the parish of Hallow as a Neighbourhood Area for the purposes of preparing a neighbourhood plan was approved by Malvern Hills District Council in July 2017.

The Parish Council published the draft Hallow Neighbourhood Plan for pre-submission consultation between 15 June and 8 August 2020, in line with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

The Parish Council submitted the draft Hallow Neighbourhood Plan and supporting documents (including a Basic Conditions Statement and Consultation Statement) to the District Council in December 2020. The submitted Plan was published by the District Council for public consultation between 15 January and 26 February 2021.

Malvern Hills District Council, with the consent of Hallow Parish Council, appointed an independent examiner, Christopher Collison, to review the Plan and consider whether it should proceed to referendum.

The Examiner's Report was received on 7 April 2021. The examiner recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan will meet the Basic Conditions and legal requirements. The examiner also recommended that the area for the referendum be based on the designated neighbourhood area which the Plan relates to.

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the District Council to make the Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help to decide planning applications in the area.

A local referendum was held in Hallow on 24 June 2021 to decide whether the local community were in favour of the Hallow Neighbourhood Plan. From the votes recorded, 396 out of 408 (96%) of the votes cast were in favour of the Plan. The turnout of electors was 35%.

The District Council has also assessed and concluded that the Plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). As such, the District Council decided on 20 July 2021 to make (adopt) the Hallow Neighbourhood Plan so that it is part of the statutory Development Plan for Malvern Hills District, sitting alongside the South Worcestershire Development Plan and other material considerations in determining planning applications in the parish of Hallow.

Inspection of Decision Statement and made Neighbourhood Plan

This decision statement can be viewed on the Malvern Hills District Council and Hallow Parish Council websites:

<https://www.malvernhillsgov.uk/planning/planning-policy/neighbourhood-planning>

<https://www.hallowpc.co.uk/neighbourhood-development-plan>

In accordance with Regulation 20 of the Regulations, the Hallow Neighbourhood Plan can be viewed on the Malvern Hills District Council and Hallow Parish Council websites:

<https://www.malvernhills.gov.uk/planning/planning-policy/neighbourhood-planning>

<https://www.hallowpc.co.uk/neighbourhood-development-plan>

Paper copies of this statement and the made Hallow Neighbourhood Plan can also be viewed at:

- Customer Services, Malvern Hills District Council, Council House, Avenue Road, Malvern, WR14 3AF (*Monday-Friday 9am-5pm*)
- Malvern Library, Graham Road, Malvern, WR14 2HU (*Monday, Tuesday, Wednesday, Thursday and Friday 9am-5.00pm and Saturday 9am-4pm*)

Vic Allison

Chief Executive

Malvern Hills District Council

21 July 2021